



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, ५ मार्च, १९६६/१४ फाल्गुन, १८८७

GOVERNMENT OF HIMACHAL PRADESH

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Simla-4, the 24th November, 1965

No. 1-17/64-E&T.—In exercise of the powers conferred by sections 16(b), 17, 18, 24 and 58(2) (d) and (3) of the Punjab Excise Act, 1914 (1 of 1914) as in force in Himachal Pradesh and all other powers enabling him in this behalf and in supersession of all previous Notifications on the subject, the Lieutenant Governor (Administrator) is pleased to issue the following “Himachal Pradesh Liquor Import, Export, Transport and Possession Orders” without previous publication.

“THE HIMACHAL PRADESH LIQUOR IMPORT, EXPORT, TRANSPORT AND POSSESSION ORDERS”

1. Nothing in these orders shall apply to liquor imported, exported, or transported—

- (a) for private consumption and not for sale in any quantity not exceeding that which is prescribed in the Himachal Pradesh intoxicant sale orders, as the maximum quantity which may be sold by retail, or

- (b) by or on behalf of any officer of Government acting in his official capacity.

Provided that the privilege given in clause (a) of this rule shall apply only to country spirit bottled in Himachal Pradesh.

Provided further that the privilege in clause (b) shall be subject to the provisions contained in order 3 below and will not apply to denatured spirit.

2. All export of liquor is subject, in addition to the provisions of this order to all regulations, for its import, into Himachal Pradesh or any other part of India.

3. With reference to section 18 of the Punjab Excise Act as applied to Himachal Pradesh, no liquor shall be imported, exported or transported, except under a pass, issued in accordance with the rules for the time being in force in Himachal Pradesh for such import, export or transport, and with reference to the first proviso to the said section, the Himachal Pradesh Government is pleased further to direct that such passes shall not be dispensed within the case of any duty paid foreign liquor whether manufactured in India or imported from overseas.

Provided that for the import and export of preparations other than covered by M.T.P.(ED) Act, 1955 containing rectified spirit, a pass shall be required if the quantity exceeds 500 millilitres: and

Provided further that no such preparation shall be issued from the premises of approved manufacturers unless it is covered by necessary pass.

4. The import of country fermented liquor into Himachal Pradesh is prohibited.

5. Indian Made Foreign Spirit and country spirit shall only be imported from the Distilleries in India approved by the Financial Commissioner from time to time.

6. Rectified spirit and denatured spirit may be imported from any distillery in India in bond or otherwise on the authority of an import permit issued by the competent authority prescribed under the Rules.

7. No spirit and no preparation containing rectified spirit, not covered by the provisions of Medicinal Toilet preparation (Excise Duties) Act, 1955 shall be imported into Himachal Pradesh unless the prescribed rate of duty has been paid on it at a rate not lower than that fixed for such spirit or preparation in Himachal Pradesh, except under an import in bond permit issued by the competent authority.

8. No liquor on which the prescribed rate of duty has not been paid shall be exported or transported except for the following exceptions:—

- (a) Country spirit, Indian made foreign spirit and rectified spirit may be exported in bond without payment of duty from any licensed distillery in Himachal Pradesh to any other State or union territory to which this privilege may be extended by the Himachal Pradesh Government subject to any conditions or restrictions which the Himachal Pradesh Government, may impose.

- (b) Rectified spirit may be transported in bond without payment of duty from any licensed distillery in Himachal Pradesh to the licensed premises of approved manufacturers.

- (c) Spirit manufactured in a licensed distillery in Himachal Pradesh may be transported in bond to any other distillery in Himachal Pradesh.
- (d) Rectified spirit may be transported without payment of duty from licensed distilleries by Hospitals and dispensaries including Veterinary Hospitals and Dispensaries both Government and Government aided or approved under the authorisations of the Director of Health Services or Director of Animal Husbandry, Himachal Pradesh as the case may be and duly endorsed by the Financial Commissioner, Himachal Pradesh.
- (e) Rectified spirit may be transported without the payment of duty from the licensed distilleries in Himachal Pradesh by the educational institutions allowed to receive such supplies by the Financial Commissioner, Himachal Pradesh.
- (f) With the sanction of the Financial Commissioner, country spirit, Indian made foreign spirit and rectified spirit may be removed from any licensed distillery in Himachal Pradesh on the deposit of security and on the execution by the distillers of a bond to pay such duty monthly in arrears.

9. The following procedure shall be observed when spirits and beer are to be exported from the distilleries and breweries licensed in the Himachal Pradesh to countries outside India:—

- (a) The manager of the exporting distillery or brewery shall be required to execute a bond. Binding himself to pay double the amount of duty leviable under the Excise Act in respect of the consignment of liquor to be despatched and to produce a certificate of shipment at a port in India to the Collector of the district in which the distillery or brewery is situated.
- (b) After satisfying himself that the required bond has been executed, the Collector shall grant an export in bond authorisation.
- (c) On receipt of the aforesaid authorisation the distillery or brewery Inspector shall prepare a pass. The consignment shall then be securely sealed and immediately despatched to the port of transshipment.
- (d) The consignment shall be transported by such route and to such port as may be specified in the pass. The route and the port shall be previously approved by the Collector.
- (e) The manager shall within three months from the date of despatch produce before the Collector of the district the certificate of shipment of the consignment at the port.
 - (1) If the certificate shows that—
 - (i) the consignment of spirit has been shipped in full with no greater deficiency than the transit wastage permitted under Himachal Pradesh Liquor Permit and Pass Rules, or,
 - (ii) the wastage in the case of beer does not exceed 10 per cent of the quantity as is issued from the brewery.

the Collector shall order that the bond in respect of the consignment has been discharged.

- (2) If the certificate is not produced within the specified period, unless the omission is satisfactorily explained, the Collector shall call upon the manager to deposit the amount specified in the bond executed by him in respect of the consignment.

- (3) If the certificate shows a deficiency greater than that allowed under these orders, then unless the deficiency is satisfactorily explained, the Collector shall obtain the Financial Commissioners' order as to the amount of duty to be recovered from the manager of the distillery.
- (f) Such forms as may be prescribed by the Financial Commissioner shall be used for a bond an export-in-bond authorisation, pass, agreement covering removal in bond and the certificate respectively.

10. Beer be exported in bond to another State or Union Territory to which this privilege has been extended, in accordance with procedure prescribed below:—

- (a) Whenever a manager of the brewery receives a requisition for the export on bond of beer to any other State or Union territory, he shall obtain from the person importing such beer an import in bond permit signed by the Collector or Chief Excise authority of the District or State of destination for the supply of such beer.
- (b) The manager of the brewery shall execute a bond binding himself in respect of the consignment to be despatched to produce a certificate before the Collector of the District of issue, and to pay such duties in respect of the consignment as may be demanded from him by the Collector.
- (c) After satisfying himself that the required bond has been executed, the Collector shall grant an export in bond authorisation.
- (d) On receipt of the aforesaid authorisation the brewery Inspector shall prepare a transport pass. The manager of the exporting brewery shall act as an agent for the supply of such beer and shall consequently to be shown as the consignor and an authorised officer of the District or State of destination as the case may be, as the consignee. The consignment shall be securely sealed and immediately despatched to the consignee. A copy of the pass shall be sent simultaneously to the authority granting the import in bond permit.
- (e) (i) The manager of the brewery within a reasonable time not exceeding two months shall produce before the Collector of the District of the issue, a certificate of arrival of the consignment at the destination to which consigned.
- (ii) If the certificate shows that the consignment of beer has been received in full with no greater deficiency than 6 per cent, the Collector shall order that the bond in respect of the consignment has been discharged.
- (iii) If the certificate is not produced within the specified period, the Collector shall unless the omission is satisfactorily explained call upon the manager to deposit the amount specified in the bond executed by him in respect of the consignment.
- (iv) If the certificate shows a deficiency greater than that allowed above, then unless the deficiency is satisfactorily explained, the Collector shall obtain the orders of the Financial Commissioner as to the amount of the duty to be recovered from the manager of the brewery.
- (f) Forms for the bonds, authorisation, passes, permits and certificates as mentioned above shall be prescribed by the Financial Commissioner.

11. Country fermented liquor shall not be transported beyond the limits of the area in which its manufacture has been allowed.

12. No person except licensed vendor shall import, and no one but a licensed distiller, brewer or a vendor shall export or transport liquor: Provided that:

- (a) Any person holding a permit for the possession of rectified or denatured spirit may import or transport any quantity not exceeding the quantity which under his permit, he is permitted to possess.
- (b) Indian Made Foreign Spirit and country liquor may be imported, exported or transported from any licensed distillery for the use of the troops.

13. (i) The import, export, transport or possession of liquor in conformity with these rules is subject to such rules as the Financial Commissioner may by notification make under section 59 of the Punjab Excise Act, 1914 as in force in Himachal Pradesh.

(ii) Rules and the orders applicable for the regulation of import, export, transport and possession of Indian made foreign spirit shall apply *mutatis mutandis* to import, export, transport or possession of "Sweets" defined in "The Himachal Pradesh Sweets Manufacture Rules".

14. The possession of "Lahan" or "Surah", or "Trak" or any such substance is prohibited except by a person licensed to work a distillery under section 21 of the Punjab Excise Act as applied to Himachal Pradesh.

15. The possession of spirit above 75°. Proof strength is prohibited except in the case of—

- (a) Imported foreign spirit.
- (b) Rectified spirit.
- (c) Denatured spirit.
- (d) Perfumed spirit.

Provided that country spirit and Indian made foreign spirit may be possessed by a person holding licence under the Himachal Pradesh Liquor Licence Rules in accordance with the conditions of their licence.

16. No permit for the possession of liquor in excess of the quantity prescribed by the Himachal Pradesh licence and sale orders as the maximum quantity which may be sold by retail shall be given except in respect of the kind of liquor described in column 1 of the Schedule below, to the person described in column 2, to the extent mentioned in column 3 on the occasions mentioned in column 4, and subject to the condition that the liquor shall be only used for the following purposes:—

1. *Foreign liquor and country liquor*.—For private home consumption.
2. *Rectified spirit*.—For medicinal or scientific and manufacturing purposes.
3. *Denatured spirit*.—For manufacturing purposes.

SCHEDULE

1	2	3	4
1. Country spirit	Any person	Any quantity	On any special occasion such as marriage, festival or caste gathering.
2. Rectified spirit	Any chemist, Medical practitioner, research or scientific body or superintendent of a hospital.	As prescribed in the permit.	At any time.
3. Rectified spirit	Any approved manufacturer.	Such quantity as may be prescribed by the Financial Commissioner.	At any time.
4. Rectified spirit	Any Educational institution.	As prescribed in the permit.	At any time.
5. Rectified spirit	Any person	As prescribed in the permit.	At any time.
6. Rectified spirit	Any approved homeopathic chemist or practitioner.	Such quantity as may be prescribed by the Financial Commissioner.	At any time.
7. Rectified spirit	Arsenals of the Ordinance Deptt.	As prescribed in the permit.	At any time.
8. Denatured spirit	Any Chemists, Varnish maker or other person engaged in any business who requires large quantities of denatured spirit for the purpose of his business.	As prescribed in the permit.	At any time.
9. Foreign liquor	Rulers of Erstwhile Indian States.	90 bulk litres	At any time.

17. Notwithstanding anything contained in the foregoing orders, a permit for the possession of foreign spirit and foreign fermented liquor exceeding the limit of retail sale prescribed in the Himachal Pradesh intoxicants licence and sale orders may be granted by the Excise and Taxation Officer upto the limit of 12 rebuted quart bottles in case of foreign spirit and 24 quart bottles of foreign fermented liquor under such conditions and on payment of such fees as the Financial Commissioner may impose and prescribe.

18. No person shall keep or have in his possession country spirit or foreign liquor in any quantity in any premises used as restaurant in any of the places to which the Himachal Pradesh Restaurant (consumption of liquor) Rules apply unless such premises have been licensed for the consumption of liquor under the Excise Act or rules made there-under or have been exempted by an order of the competent authority in writing from the operation of this order.

This order shall have effect whether the quantity of liquor in the possession of a person is or is not in excess of the quantity declared by the Government to be the limit of retail sale.

Explanation:

“For the purposes of this Order “Restaurant” shall mean any place to which the public are admitted for the consumption of food or drink for consideration”.

19. The foregoing orders pertaining to country liquor and foreign liquor shall not apply to dry areas in respect of which prohibition for import, export, transport, possession, etc., has been or may be enforced by the Government under the provisions of the Punjab Excise Act as applied to Himachal Pradesh except on the authority of permits and passes issued under the Himachal Pradesh Liquor Prohibition Rules:

Provided that:

The foreign tourists, who are in possession of letters of introduction from the Traffic Advisory Committee or a liquor permit issued by any competent authority of any State or Union territory or the Government of India Tourists Office in India or Abroad or the Indian Missions abroad may possess foreign liquor throughout Himachal Pradesh including dry areas upto the quantity covered by the liquor permits in their possession:

Provided further that the Financial Commissioner may exempt from the provision of this rule, according to the terms and conditions contained in the letter of authority issued in respect of such exemptions to any category of foreigners engaged in the execution of any programme in pursuance of any International agreement.

By order,
V. S. SHARMA,
Joint Secretary.

LAND REFORMS DEPARTMENT

NOTIFICATION

Simla-4, the 31st January, 1966

S.R.O.(HP)30. —With reference to the Himachal Pradesh Government Notification No. 1-27/64-LRC, dated the 18th November, 1954, and in exercise of the powers conferred by clause (j) of sub-section (2) of section 26 read with sub-section (5) of section 27 of the Himachal Pradesh Abolition of

Big Landed Estates and Land Reforms Act, 1953 (Act No. 15 of 1954), the Lieutenant Governor, Himachal Pradesh, after having taken into consideration all the objections and suggestions with regard to the draft rules under the said Act, published under the aforesaid notification is pleased to make the following Rules.

RULES

1. *Title and commencement.*—(1) These Rules may be called the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Manner of determination and sanction of Rehabilitation Grant) Rules, 1965.

(2) These shall come into force at once.

2. *Definitions.*—(1) In these rules unless the context otherwise requires:—

(a) “Act” means the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 (Act No. 15 of 1954).

(b) “Section” means “Section” of the Act.

(c) “Compensation Officer” means the person appointed as such by the State Government in terms of section 9 of the Act.

(d) “Revenue Officer” means the Revenue Officer mentioned in section 109 of the Act.

(e) “Land” has the same meanings as defined in the Act.

(f) “Small Landowner” means a landowner whose right, title and interest in the land of annual land revenue (excluding rates and cesses) below Rs. 250 have been extinguished under section 27.

Provided that the limit of land revenue will not apply in case of Trust/Endowment/Religious and Charitable Institutions.

(g) “Means of Livelihood” means income reasonably sufficient for the subsistence of the landowner and his family derived from any source whatsoever.

Explanation.—Family shall mean the landowner himself/herself, his/her spouse, his/her children/grand children and parents/grand parents dependant on him/her.

(h) “Permanently disabled” means a person who on account of physical or mental disability, is declared by a Medical Officer not below the rank of Assistant Surgeon, Grade-I (Gazetted) as permanently disabled for earning his livelihood himself/herself.

(i) “Rehabilitation Grant” means the amount which may be determined and sanctioned by the Compensation Officer either in lump-sum or in the shape of annuity (Annual recurring grant).

(2) The words and expressions used in these rules but not defined shall have the same meanings as defined in the Act.

3. *Admissibility and limits of rehabilitation grant.*—(1) Small landowners who have no other means of livelihood shall be given rehabilitation grant in accordance with the provisions of sub-rule (2) and (3).

(2) (i) In case of individual person the grant will be sanctioned in lump-sum as financial aid to the grantee for subsistence purposes for gainful investment in cottage industry, horticulture, agriculture, dairy farming, poultry farming or any other business or profession etc.

Provided that in case of a 'widow' or at permanently disabled person' such grant may be sanctioned at the option of the applicant, in the shape of annual recurring grant for or her/his maintenance for life time only or in the case of widow till she-re-marries.

(ii) In case of a Trust/Endowment or Religious/Charitable institutions, the grant shall be in the shape of Annuity (annual recurring grant) as may be considered reasonable by the Compensation Officer for the purpose of meeting its day-to-day expenses connected with the payment of wages of the employees, for performance of religious rites and maintenance of its buildings and for genuine annual repairs.

(3) (i) In case of individual person the amount payable as Rehabilitation Grant in Lump-sum shall be equal to 24 (twenty four) times of the amount of Land Revenue (excluding rates and cesses) in respect of the land on which his/her right, title and interest have been extinguished under sub-section (1) and (3) of section 27 of the Act, subject to a maximum of rupees, 5,000 (Rupees five thousand). This grant will be in addition to the amount of compensation already received by the small landowner concerned under section 27(3) of the Act:

Provided that in case of 'widow' or 'permanently disabled person' who gives her/his option, the grant may be sanctioned in the shape of annual recurring grant considered as reasonable amount by the Compensation Officer for her/his maintenance which shall not exceed the annual preceding three years' average cash value of the rent of the land on which her/his right, title and interest have been extinguished. This grant will also be in addition to the amount of compensation already received by the small landowner concerned under section 27(3) of the Act:

Provided further that the amount of annual recurring grant so determined and paid shall be subject to renewal/revision after every ten years by the Compensation Officer concerned.

(ii) In case of Trust/Endowment and Religious/Charitable Institutions, the amount of annuity which will be sanctioned by the Compensation Officer shall not exceed the net annual preceding three years' average income in cash i.e., the annual cash value of the rents derived from the land on which right, title and interest of the Trust etc., have been extinguished under section 27 of the Act reduced by the amount of land revenue and rates and cesses paid to the State Government per annum in respect of the said land and the amount of expenses incurred on collection of rents:

Provided that the amount of Annuity so determined paid to a Trust/Endowment or Religious/Charitable institution shall be subject to renewal/revision after every ten years by the Compensation Officer concerned.

(4) The amount of annuity (annual recurring grant) will be paid in quarterly or monthly instalments on the date(s) as may be fixed by the Compensation Officer.

4. *Manner of applying for rehabilitation grant.*—(1) After the Compensation payable to the small landowner under sub-section (3) of section 27 of the Act, has finally been determined and awarded by the Compensation Officer and appeals, if any filed are decided, the small landowner may, within a period of six months from the date of final order of the Compensation Officer District Judge/Judicial Commissioner or from the date of coming into force of these rules, apply for sanction of Rehabilitation Grant in lump-sum or annuity (annual recurring grant) as the case may be, to the Compen-

sation Officer of the District in which the landowner resides or the Trust/Endowment/Religious or Charitable Institution is situated, in form RHG-1/ RHG-1A, appended to these rules (Form RHG-1, for individual persons and RHG-1A for Trust Endowment/Religious/Charitable Institutions) duly completed in all respects. In addition to the application in form RHG-1 or RHG-1A, one copy of form RHG-2 or RHG-2A as the case may be in respect of each Tehsil Sub-Tehsil separately in which the land of the small landowner on which his/her/its right, title and interest have been extinguished, duly filled in, shall also have to be furnished.

Note.—Application on behalf of and for any Trust/Endowment/Religious or Charitable Institution will be made by the President of the Trust Endowment the District Temple Committee constituted under any law or custom in practice.

(2) Application may either be presented in person or through authorised Agent, Mukhtiar or Attorney to the Compensation Officer concerned.

5. *Procedure for dealing with the applications.*—(1) The Compensation Officer on receipt of the application will enter the necessary particulars in the Register in form RHG-3, which will be kept and maintained in his office.

(2) The Compensation Officer after entering the particulars of the application in register (Form RHG-3) will forward the forms RHG-2 or RHG-2A, as the case may be to the Revenue Officer(s) of the Tehsil(s)/Sub-Tehsil(s) for scrutiny and verification of the information given therein by the applicant with the help of the Revenue Records and local enquiries, if necessary, or any other method as may be considered appropriate. The Revenue Officer after necessary scrutiny and verification of the information will return the forms to the Compensation Officer with a verification certificate under his signature as early as possible.

(3) The Compensation Officer on receipt of the Forms RHG-2 or RHG-2A, duly scrutinised and verified by the Revenue Officers of the Tehsil(s) Sub-Tehsil(s) shall, if necessary, make correct entries in form RHG-1 or RHG-1A and register in form RHG-3 in his custody and place all the Forms RHG-2 and RHG-2A, on the relevant file. After this has been done, the Compensation Officer shall issue a general notice for the information of all concerned allowing a period of 30 days with effect from the date of publication of the notices for raising objections or claims against the application for the grant, in form RHG-4.

(4) After the objections/claims received before the specified date, if any, are considered and disposed of, and it is found that the applicant is entitled to rehabilitation grant, the Compensation Officer shall determine the amount of Rehabilitation Grant in lump-sum or Annuity (annual recurring grant) as the case may be in favour of the applicant and pass his orders to that effect on the file, specifying the date with effect from which the Annuity (annual recurring grant) is sanctioned.

(5) In case the applicant is not found to be entitled to the Rehabilitation Grant, the Compensation Officer shall reject the application.

(6) After the amount of Rehabilitation grant has been determined under sub-rule (4), the Compensation Officer shall issue a certificate of the grant in favour of the applicant in form RHG-5. A copy of the certificate will also be sent to the Deputy Commissioner of the District concerned. In case any appeal has been filed, the certificate shall be issued in accordance with the decision of the Court, after the appeal has been finally decided.

6. *Entering of particulars of the grantee.*—The Deputy Commissioner on receipt of the certificate in Form RHG-5 has mentioned in sub-rule (6) of Rule 5 will cause the particulars of the same to be entered in the Register in form RHG-6 to be kept and maintained by the Revenue Accountant of his office.

7. *Payment of grant to the grantee.*—(1) As soon as the certificates in form RHG-5 are entered in Register RHG-6, the amount required for making payment to the grantee will be drawn by the Deputy Commissioner on the authority of certificate in form RHG-5, on simple receipt voucher under head of account; “92-Payment of Compensation to landholders on the abolition of Zamindari system-A-1-Payment of compensation to landholders on the Abolition of Big Landed Estates/Rehabilitation grant to the small land-owners”. Disbursement of the amount shall be made keeping in view the provisions of sub-rule (2) and on production of the certificate issued under sub-rule (6) of rule 5, against receipt in form RHG-7, which shall be obtained in duplicate from the grantee or his authorised agent. Original copy of the receipt shall be forwarded to the Audit Office concerned with monthly accounts. Duplicate copy shall be retained by the Deputy Commissioner for record in his office.

Note.—“Authorised Agent” means, in case of individual persons a person authorised by the grantee concerned to receive the amount on his behalf and holding a letter of authority to that effect from the grantee duly attested by a Magistrate, and in case of Trust/Endowment/Religious Institution, a person authorised by the Trustee(s) or President of the Trust/Endowment or the President of the District Temple Committee, duly constituted, under any law or custom in practice, as the case may be, in this behalf and holding a letter of authority to that effect from the said Trustee(s) or President duly attested by a Magistrate.

(2) The grantee shall apply to the Deputy Commissioner concerned for the payment to him the amount of Rehabilitation Grant as sanctioned in his favour within a period of 3 months from the date of issue of the certificate of grant. In case of annuity, the application shall be made within one month of the date of payment of instalment as mentioned in the certificate.

(3) The Deputy Commissioner, before making the payment of the amount of authorised agent, shall satisfy himself about the genuineness of the letters of authority and also the identity of the authorised agent.

(4) The Deputy Commissioner shall enter the amount drawn and disbursed in the cash book to be kept and maintained for the purpose by the Nazir of his office. The account of the expenditure shall be rendered to the Commissioner (Land Reforms) on due dates in the monthly expenditure statement.

8. *Issue of notices.*—Notices required to be issued and published under these rules shall be published by fixing a copy of the notice on the notice board of the office of the Compensation Officer, District Judge, as the case may be, or at a conspicuous place in the locality where the applicant resides or the Trust/Endowment/Religious or Charitable Institution is situated or any other manner laid down in sections 21, 22 and 23 of the Himachal Pradesh Land Revenue Act, 1953 (6 of 1954). A copy of the notice shall also be sent to the applicant concerned at his known address.

9. *Court fee.*—No court fee shall be payable on the applications for procurement of rehabilitation grant under these rules.

10. Appeals.—(1) Any person aggrieved by an order of the Compensation Officer under sub-rule (5) of Rule 5 rejecting the application or under sub-rule (4) of rule 5 determining the amount in lump-sum or annuity (annual recurring grant), may within forty-five days from the date of the order, appeal to the District Judge.

(2) As against the decision of the District Judge, an appeal shall lie within a period of ninety days to the Judicial Commissioner whose decision shall be final and shall not be liable to be called in question in any court or before any authority.

11. Providing of funds.—Every year funds will be provided in the Budget Grant under head "92-Payment of Compensation to Landholders on the Abolition of Zamindari System-A-1-Payment of Compensation to Landholders on the Abolition of Big Landed Estates/Rehabilitation Grant to the small Land-owners" to the Deputy Commissioner.

By order,
C. L. KAPILA,
Additional Secretary.

FORM RHG 1

(See Rule 5)

(To be used in case of individual persons)

To

The Compensation Officer,

..... District, at (Station).

I son/daughter of
age years resident of village
Tehsil District, state that as a result of the operation of sub-sections (1) and (2) of section 27 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 (15 of 1954), my land of annual land revenue below Rs. 250 has vested in the Government and I have no other means of livelihood. It is therefore, requested that Rehabilitation grant in lump-sum/annuity (annual recurring grant) as admissible under the Rules may kindly be sanctioned in my favour. I hereby assure that the amount sanctioned will be gainfully invested for subsistence purposes such as cottage industry, horticulture, agriculture, dairy farming, poultry farming and or any other business, or profession etc. etc. for my maintenance.

2. The particulars required for the determination of the amount of the grant are given as under:—

(1) Particulars of the land on which right, title and interest of the applicant have been extinguished:—

- (a) Name of Tehsil(s)
- (b) Name of village(s)/Revenue Estate(s)
- (c) Area (Acre/Bighas/Biswas)
- (d) Annual land revenue and rates and cesses
- (e) Amount of compensation determined/received under sub-section (3) of section 27 of the Act

(2) Particulars of the land still left with the applicant:—

(a) Name of Tehsil(s).....

(b) Name of village(s)/(Revenue Estates).....

(c) Area (Acre/Bigha/Biswa) Class-wise:—

(i) Cultivable.

(ii) Un-cultivable

(iii) Annual cash value of the income therefrom.

(iv) Annual land revenue and rates and cesses.

(3) Annual income and the sources from which derived:—

(i) Applicant himself.

(ii) His wife/her husband and other members of his/her family.....

(4) Total annual net income.

(5) Amount of Rehabilitation grant claimed:—

(i) In case of individual person in lump-sum.

(ii) In case of widow/permanently disabled persons, please state whether the applicant opts for the grant in lump-sum or annuity (annual recurring grant).

*(Strike out whatever is not applicable).

.....
Signature of the applicant.

DECLARATION

I..... son/daughter/wife/widow of
age....., the above named applicant do hereby declare and affirm that
the particulars given above are true and correct to the best of my knowledge
and belief and nothing has been concealed.

.....
Signature of the applicant.

Declared this..... day of..... 19.... at.....
(Station).....

FORM RHG 1 A

(See Rule 5)

(To be used in case of Trust/Endowment/Religious/Charitable Institution)

To

The Compensation Officer,

.....District.....(Station).

I am to state as a result of the operation of sub-sections (1) and (2) of
section 27 of the Himachal Pradesh Abolition of Big Landed Estates and Land
Reforms Act, 1953,.....(name of the Trust/Endowment/
Religious/Charitable Institution) has been left with no means of livelihood in
terms of clause (g) of rule 2 of the Himachal Pradesh Abolition of Big Landed
Estates and Land Reforms (Manner of determination and sanction of Re-
habilitation Grant) Rules, 1965. It is, therefore, requested that Annuity

(annual recurring grant) as admissible under the Rules may kindly be sanctioned in favour of the Trust/Endowment/Institution for its day-to-day expenses connected with the payment of wages of the employees, performance of religious rites and maintenance of the buildings and structure and genuine annual repairs.

2. The particulars required for determination of the amount of Annuity (annual recurring grant) are given below:—

(1) Particulars of the land on which right, title and interest of the Trust/Religious/Endowment/Charitable Institution have been extinguished:—

- (i) Name of Tehsil(s).....
- (ii) Name of Village(s)/Revenue Estate(s).....
- (iii) Area (Acre/Bigha/Biswa).....
- (iv) Annual land revenue and rates and cesses.....
- (v) Amount of compensation determined under sub-section (3) of section 27 of the Act, and kept in Revenue Deposit.....

(2) Annual preceding three years average of cash value of the rents derived by the Trust/Endowment/Institution from the land shown at column No. 1 above.....

(3) Annual expenditure incurred on collection of rents shown at column No. 2 above with details, such as salary of staff employed, carriage, cooliage and other incidental charges, etc. etc.

(4) Net annual income [column 2 minus columns 1 (iv) and (3)].....

(5) Details of the land still left with the Trust/Endowment/Institution:—

- (i) Tehsil(s)
- (ii) Village(s)/Revenue Estate(s).....
- (iii) Area (Acre/Bigha/Biswa) class-wise:—
 - (a) cultivable.....
 - (b) un-cultivable.....

(iv) Land Revenue rates and cesses.....

(v) Annual net cash income.....

(6) Assignment of land revenue in cash per year, if any.....

(7) Annual expenditure of the Trust/Endowment/Institution:—

- (i) Wages of the staff employed with details.....
- (ii) Expenses on the performance of religious rites and functions etc.....
- (iii) Maintenance, repairs of the building and structure.....

(8) Amount of annuity (annual recurring grant) claimed.

Signature of the Trustee/President
or the Authorised Agent.

DECLARATION

It is hereby declared and affirmed that the information furnished above is true and correct to the best of my knowledge and belief and nothing has been concealed.

Declared this.....day of
.....19.....(Station)

Signatures of the Trustee/President
of the Trust/ Endowment/
District Temple Committee.

FORM RHG 2

(See Rule 5)

(To be used in case of individual persons)

Tehsil-wise information furnished by Shri.....son of
Shri.....resident of village.....Tehsil.....
District.....in connection with the procurement of rehabilita-
tion grant.

Sl. No.	Description of the information	The information furnished by the applicant	Information found correct on scrutiny and verification from the Revenue Records and other sources by the Revenue Officer	Remarks
1	2	3	4	5
1.	Name of Tehsil	...		
2.	Particulars of the Land on which right, title and interest of the applicant have been extinguished:—			
	(i) Name of village(s)	..		
	(ii) Area (Acere/Bigha/Biswa)	..		
	(iii) Annual Land Revenue	..		
	(iv) Compensation received under section 27(3) of the Act	..		
3.	Particulars of the land still left with the applicant:—	..		
	(i) Name of village(s)	..		
	(ii) Area (Acre/Bigha/Biswa)	..		
	(a) cultivable	..		
	(b) un-cultivable	..		
	(iii) Annual Land Revenue rates and cesses	..		
	(iv) Annual cash value of the income therefrom	..		
4.	Annual income derived from other sources viz., assignment of land revenue, rents of the building and property, etc...			

(Signature of the applicant).

OFFICE OF THE COMPENSATION OFFICER.....

DISTRICT AT.....(STATION)

No.....Date.....

Forwarded to the Revenue Officer (Tehsildar/Naib-Tehsildar) Tehsil/Sub-Tehsil.....for scrutiny and verification of the information given at serial No. 1 to 4 above and early return.

.....
Compensation Officer,

No.....Date.....

Certified that the information given at Column No. 1 to 4 has been verified after due inquiries from the entries existing in the Revenue Record and other sources and the result of which has been recorded against each item. Hence returned to the Compensation Officer.....District for further necessary action.

.....
Revenue Officer.

FORM RHG 2 A

(See Rule 5)

(To be used in case of Trust/Endowment or Religious/Charitable Institution)

Tehsil-wise information in respect of.....(name of the Trust/Endowment/Religious or Charitable Institutions) in connection with the procurement of Annuity (annual recurring grant).

Sl. No.	Description of the information	Information furnished by the institution	Information found correct on scrutiny and verification from the Revenue Records and other sources by the Revenue Officer	Remarks
1	2	3	4	5
1.	Name of Tehsi	..		
2.	Particulars of the land on which right, title and interest of the Trust/Endowment/Institution have been extinguished:			
	(i) Name of village(s)	..		
	(ii) Area (Acre/bigha/biswa)	..		
	(iii) Annual land revenue and rates and cesses.	..		
	(iv) Annual preceding three years' average of net cash value of the rents derived by the Trust/Endowment/Institution, therefrom.	..		

1	2	3	4	5
3. Particulars of the land left with the Trust/Endowment/Institution:—				
(i) Name of village(s)	..			
(ii) Area (bigha/biswa/acre):	..			
(a) cultivable				
(b) un-cultivable	..			
(iii) Annual land revenue rates and cesses	..			
(iv) Net annual cash value of the rent derived therefrom	..			
4. Annual assignment of land revenue in favour of the Trust/Endowment/Institution or any other income.				

(Signatures of the Trustee/President of the Trust/Endowment/or the District Temple Committee.

OFFICE OF THE COMPENSATION OFFICER.....
DISTRICT AT(STATION)

No.....,

Dated the.....

Forwarded to the Revenue Officer (Tehsildar/Naib-Tehsildar) Tehsil/Sub-Tehsil.....for scrutiny and verification of the information given at Serial No. 1 to 4 above and early return.

Compensation Officer.

No.....,

Dated.....

Certified that the information given at column No. 1 to 4 has less verified after due inquiries from the entries existing in the Revenue Record and other sources and the result of which has been recorded against each item. Hence returned to the Compensation Officer.....District for further necessary action.

Revenue Officer.

FORM RHG 3

(See Rule 6)

OFFICE OF THE COMPENSATION OFFICER.....DISTRICT
REGISTER OF FILES REGARDING SANCTION OF REHABILITATION GRANT

1. Serial No. ..
2. Date of receipt of application ..

3. Particulars of the applicant ..
4. Amount claimed as Rehabilitation Grant:—
 - (a) Lump-sum ..
 - (b) Annual recurring grant ..
5. Abstract of order with date and amount sanctioned by:—
 - (a) *Compensation Officer*:—
 - (i) Lump-sum ..
 - (ii) Annual recurring grant ..
 - (b) *District Judge*:—
 - (i) Lump-sum ..
 - (ii) Annual recurring grant ..
 - (c) *Judicial Commissioner*:—
 - (i) Lump-sum ..
 - (ii) Annual recurring grant ..
6. Signatures of the Compensation Officer ..
7. Date of despatch of the file to the records room ..
8. Acknowledgement of the officer-in charge of the record room with date ..
9. Remarks ..

FORM RHG 4

[(See Rule 6 (3)]

BEFORE THE COMPENSATION OFFICER.....DISTRICT
AT.....(STATION)

To

All persons concerned.

Whereas Shri.....son of.....resident of village.....
Tehsil.....District.....a small landowner has approached
this office requesting for sanction of an amount of Rs.....as
rehabilitation grant in lump-sum/Annuity (Annual recurring grant) in his
favour, as admissible in the Himachal Pradesh Abolition of Big Landed
Estates and Land Reforms (Manner of determination and sanction of Re-
habilitation Grant) Rules, 1965.

Now, therefore, in pursuance of sub-rule (3) of rule 6 of the Himachal
Pradesh Abolition of Big Landed Estates and Land Reforms (Manner of
determination and sanction of Rehabilitation Grant) Rules, 1965, it is hereby
notified for the information of all persons concerned that any objection or
claim to the request of the applicant in regard to the procurement of the grant
shall be received by the undersigned by.....(date). Any person having
any objection to make in the matter may do so, in writing, addressed to
the undersigned on or before the date specified above. Any objections received
thereafter shall not be entertained.

Given under my hand and seal this.....day of.....19.....

(Seal).

Compensation Officer,
.....*district.*

FORM RHG 5

[(See Rule 6(5)]

CERTIFICATE OF REHABILITATION GRANT IN LUMP-SUM/
ANNUITY ANNUAL (RECURRING GRANT)

WHEREAS SHRI.....son/daughter of.....President of the Trust/Endowment/District Temple Committee.....resident of....., Tehsil....., District....., has applied for sanction of Rehabilitation Grant in lump-sum/Annuity(annual recurring grant) admissible to the small landowners under the provisions of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms (Manner of determination and sanction of Rehabilitation Grant) Rules, 1965:

AND WHEREAS after making thorough enquiries into the application as required under the said Rules, it is established that Shri Trust/Endowment/Religious/Charitable Institution afore mentioned fulfils the conditions governing such grant;

NOW THEREFORE, an amount of Rs.....(in figures).....(in words) is hereby finally determined and sanctioned in lump-sum/Annuity (annual recurring grant) in his/her/its favour under Rule 6(5) of the said Rules by the undersigned/District Judge/the Judicial Commissioner vide order dated.....and this certificate is granted to Shri..... He/she shall now approach the Deputy Commissioner of the district and receive the payment of the same in lump-sum/quarterly/monthly instalments as fixed below with effect from.....(date).

Quarterly Instalment	Quarter ending 31st March	Quarter ending 30th June	Quarter ending 30th September	Quarter ending 31st December
Date of payment.	Between 1st to 10th April.	Between 1st to 10th July.	Between 1st to 10th October.	Between 1st to 10th January.
Monthly instalment.	Between 1st to 10th of the succeeding month.			

2. A copy of this certificate is also endorsed to the Audit Office..... and the Deputy Commissioner.....District, for necessary action at their end.

Given under my hand and seal, this.....day of.....19 ..

(Seal).

.....
Compensation Officer.

No..... Dated.....19 ..

1. Copy forwarded to the Audit Office.....for information and necessary action.

2. The Deputy CommissionerDistrict, with the remarks that the amount of Rehabilitation Grant lump-sum/Annuity (annual recurring grant) may be paid to the grantee on the.....

.....
Compensation Officer,
.....

FORM RHG 6

(See Rule 7)

OFFICE OF THE DEPUTY COMMISSIONER.....DISTRICT
REGISTER OF REHABILITATION GRANT/IN LUMP-SUM
AND ANNUITY (ANNUAL RECURRING GRANT)

1. Serial No.
2. Number and date of the certificate of grant.
3. Particulars of the Compensation Officer from whom received.
4. Particulars of the grantee.
5. Amount sanctioned:
 - (i) lump-sum.
 - (ii) annual recurring grant.
6. Date of payment:
 - (a) Lump-sum.
 - (b) quarterly instalment.
 - (c) monthly instalment.
7. Initials (with date) of the officer making disbursement of the amount.
8. Remarks.

FORM RHG 7

(See Rule 8)

FROM OF RECEIPT FOR PAYMENT OF REHABILITATION GRANT
SANCTIONED IN LUMP-SUM ANNUITY (ANNUAL RECUR-
RING GRANT)

I.....son/daughter of.....resident of.....
village....., Tehsil.....District, do hereby acknowl-
edge to have received a sum of Rs.....(in wards)in
lump-sum/instalments for the quarter/month ending.....*on
behalf of Shri.....son/
daughter of....., resident of.....
Tehsil....., in whose favour the amount has been sanctioned
and who has authorised me to receive the payment of amount vide letter of
authority dated.....enclosed, in original, being the
amount of rehabilitation grant in lump-sum/instalment for the quarter/
month ending on.....

Date.....

.....
Signature of payee.

Paid in my presence in cash to the above person the sum of Rs.....
(in figures).....(in words).
.....

Date.....

.....
Signature of the Officer, making, disbursement
on behalf of the Deputy Commissioner.

*To be used when payment is made through authorised agent.